

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CATHERINE R. DAVIS,

Plaintiff,

Civil Action No.  
07-15234

vs.

HON. BERNARD A. FRIEDMAN

MERRILL LYNCH, PIERCE, FENNER  
AND SMITH, INCORPORATED,

Defendant.

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**ORDER OF DISMISSAL**

This matter is presently before the Court on Defendant's Motion to Dismiss and/or for Summary Judgment. Magistrate Judge Steven D. Pepe has submitted a report and recommendation ("R & R") in which he recommends that Defendant's motion be granted. Plaintiff has not objected to the Magistrate Judge's R & R. She has, however, submitted an "Affidavit of Motions in Lieu of Attendance at the Hearing Written Statement is Submitted and Speaks for Themselves." It is unclear what such document purports to be, what it asserts, or why it was filed.

The Court has reviewed Plaintiff's Complaint and the Magistrate Judge's R & R. The Court believes the Magistrate Judge correctly analyzed all issues and properly concluded that the Complaint should be dismissed.

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Accordingly,

IT IS ORDERED that Magistrate Judge Pepe's Report and Recommendation is accepted and adopted as the findings and conclusions of the Court.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss is GRANTED.

Dated: May 2, 2008  
Detroit, Michigan

\_\_\_\_\_/s/Bernard A. Friedman \_\_\_\_\_  
BERNARD A. FRIEDMAN  
CHIEF UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was served upon counsel of record by electronic and/or first-class mail.

s/Carol Mullins  
Case Manager to Chief Judge Friedman